

		deleting pictures from originally-submitted ad
17.	Feb. 18, 2015	Publish ad depicting Victim 11 entitled "Alexis Foxx the HOTTEST in town!!!! - 26," after deleting six pictures from the originally-submitted ad
18.	Feb. 26, 2015	Publish ad involving P.R. entitled "50 Red R*O*S*E*S S*P*E*C*I*A*L - DONT MISS OUT!!!!!"
19.	May 18, 2015	Publish ad depicting Victim 15 entitled "GORGEOUS ebony PLAYMATE Perfect Curves...Skills to make ur TOES CURL - 19," after removing one picture of originally-submitted ad, with accompanying text "you agree . . . you are not affiliated with any law enforcement agency" and "Incalls & Outcall!!!!"
20.	May 19, 2015	Publish ad depicting Victim 15 entitled "Hot & Dripping Submissive Ebony Playmates - 20," after removing one picture of originally-submitted ad, with accompanying text "you agree . . . you are not affiliated with any law enforcement agency" and "We're ready to please and accommodate all of your needs and wants!! With a mouth that'll ROCK your [] and a [picture of cat] that'll leave you purring for more"
21.	July 1, 2015	Publish ad depicting Victim 17 entitled "AbSoLuTeLy AmAziNg CoMe PLaY WiTh Me #1 MoST WaNtEd SwEeT SEXii PIaymate - 20," with accompanying text "By contacting me you agree that you are not affiliated with any form of law enforcement," PERFECT & Will satisfy your every need," and "IN/CALLS - ONLY"
22.	July 2, 2015	Publish ad depicting Victim 17 entitled "SeXy!! Exotic playmate Call me! the girl you NEED to See! - 20," with

Case 2:18-cr-00422-SPL Document 3 Filed 03/28/18 Page 45 of 61

		accompanying text "I DO NOT OFFER 40\$, 50\$, 60\$ SPECIALS" and "IN/CALLS – ONLY"
23.	Aug. 13, 2015	Publish ad depicting Victim 13 entitled "Young SEXY PUERTO RICAN – 19," which accompanying text "I do half hour sessions that vary in donation prices, 80 for head, 120 for hooking up without head and 150 for hooking up with head"
24.	Aug. 15, 2015	Publish ad depicting Victim 16 entitled "Outcalls Now Freaky Curvy Caramel Lady OUTCALLS NOW – 23"
25.	Sept. 13, 2015	Publish ad involving P.R. entitled "50 Red R*O*S*E*S S*P*E*C*I*A*L - DONT MISS OUT!!!!!"
26.	Nov. 28, 2015	Publish ad involving P.R. entitled "50 Red R*O*S*E*S S*P*E*C*I*A*L - DONT MISS OUT!!!!!"
27.	Apr. 21, 2016	Publish ad entitled "Finally!! PSE & GFE – Kimber Rae and MIA Marie Together BOOK NOW"
28.	Nov. 3, 2016	Publish ad entitled "GFEE New – 18"
29.	Nov. 11, 2016	Publish ad entitled "Mind blowing Tiffany. Incall in Taunton – 37," with accompanying text "Soft GFE . . . Im real and reviewed"
30.	Nov. 14, 2016	Publish ad entitled "Top Model 2016 Special 'Best Looking Young Asian' . . . – 22," with accompanying text "Sexy Asian Girl Incall Service" and "GFE"
31.	Nov. 14, 2016	Publish ad entitled "Sometimes It's All About The Journey, And The Destination.....Erectile Dysfunctional G F E Provider – 44," with accompanying test "You can find a few current reviews at T3R xxxxxx#" and "I have been EROS authenticated"

Case 2:18-cr-00422-SPL Document 3 Filed 03/28/18 Page 46 of 61

32.	Nov. 19, 2016	Publish ad entitled "The True (G)irl (F)riend (E)xperience... Visiting November 27th Sunday ~ PRE-BOOKING SPECIAL ~ - 100," with accompanying text "Let's blur restrictions between financial transaction & Romantic Connection"
33.	Nov. 24, 2016	Publish ad entitled "Top Asian Grand Opening 100% Young 100% Sexy . . . - 23," with accompanying text "BEST INCALL IN TOWN!" and "GFE"
34.	Nov. 26, 2016	Publish ad entitled "I LOVE MEN!! I'm a GFE. OutCall and Incall with exception on the Incall!! - 42"
35.	Dec. 20, 2016	Publish ad entitled "OMG Sexy Sensual 36DD-24-36 Stacked College Coed With The Best Mouth Ever! BOOK NOW! -24," with accompanying text "I do ALL the things YOU Wish Your Wife Did!!" and "(G).(F).(E) 30 min/\$180"
36.	Jan. 15, 2017	Publish ad entitled "Real & Reviewed Girlfriend Theonesweet.weebly.com - 30," with accompanying text "250 G F E"
37.	Apr. 4, 2017	Publish ad entitled "KISSING & GFE KOREAN GIRLS - 20"
38.	Apr. 11, 2017	Publish ad entitled "Pettit Sexy #Corey# 4407239339 - 39," with accompanying text "complete GFE experience"
39.	July 3, 2017	Publish ad entitled "WANNA HANG OUT NOW UpScale New In Town! Call ME now for an unforgettable visit - 20," with accompanying text "100% GFE with 100% no Pimps"
40.	July 15, 2017	Publish ad entitled "Ready for some fun daddy? This is your chance too have a amazing time - 21," with accompanying text "Slim body, nice tits, freaky, GFE"

Case 2:18-cr-00422-SPL Document 3 Filed 03/28/18 Page 47 of 61

41.	July 15, 2017	Publish ad entitled "New in town BiGBubble Booty SWEETLiPS HOT BODY - 24," with "GFE" in accompanying text
42.	July 21, 2017	Publish ad entitled "Pettit Sexy #Corey# 4407239339 - 30," with accompanying text "complete GFE experience"
43.	July 23, 2017	Publish ad entitled "ASIAN GODDESS young - 20," with accompanying text "100% Discreet service" and "#GFE"
44.	Jan. 26, 2018	Publish ad entitled "GFE Service Available! Private Encounters w/ Pampering Beauty"
45.	Jan. 30, 2018	Publish ad entitled "241 & white plans area Carfun Perfect Treat Available No Rush," with "Sweet Sexy GFE" in accompanying text
46.	Jan. 30, 2018	Publish ad entitled "GFE REAL HOT Sweet DREAM AMAZING BEST RELAX"
47.	Jan. 30, 2018	Publish ad entitled "Tall, Slim & Sexy Luxe Goddess * NARCISA * Sensual Body Rub + Fetish Sessions," with accompanying text "gfe Hh: \$160 H: \$220"
48.	Jan. 31, 2018	Publish ad entitled "Exotic Asian Beauty," with accompanying text "I am an independent GFE with excellent massage skills"
49.	Feb. 1, 2018	Publish ad entitled "Nuru (Best GFE ever) incall only"
50.	Feb. 6, 2018	Publish ad entitled "Tuesday with Ashleigh. Available now," with "GFE" in accompanying text
51.	Feb. 6, 2018	Publish ad entitled "GFE Kisskisspop 100% Real Photo Choice 9Asian girl Nurunude"

In violation of 18 U.S.C. § 1952(a)(3)(A) and (b)(1)(i).

**COUNT 52**

**(Conspiracy To Commit Money Laundering)**

164. The factual allegations in Paragraphs 1-163 are incorporated by reference and re-alleged as though fully set forth herein.

165. Beginning in or around 2004, and continuing through the present, in the District of Arizona and elsewhere, defendants LACEY, LARKIN, SPEAR, BRUNST, and HYER, and others known and unknown to the grand jury, knowingly and intentionally agreed, confederated, and conspired with each other, and with others known and unknown to the grand jury, to commit the following offenses against the United States:

- a. 18 U.S.C. § 1956(a)(1)(A)(i) (Promotional Money Laundering)
- b. 18 U.S.C. § 1956(a)(1)(B)(i) (Concealment Money Laundering)
- c. 18 U.S.C. § 1956(a)(2)(A) (Int'l Promotional Money Laundering)
- d. 18 U.S.C. § 1956(a)(2)(B)(i) (Int'l Concealment Money Laundering)
- e. 18 U.S.C. § 1597 (Transactional Money Laundering)

In violation of 18 U.S.C. § 1956(h).

**COUNTS 53-62**

**(Concealment Money Laundering)**

166. The factual allegations in Paragraphs 1-165 are incorporated by reference and re-alleged as though fully set forth herein.

167. On or about the dates set forth below, each instance constituting a separate count of this Indictment, in the District of Arizona and elsewhere, defendants LACEY, LARKIN, SPEAR, BRUNST, and HYER, and others known and unknown to the grand jury, knowing that the property involved in a financial transaction represented the proceeds of some form of unlawful activity, conducted and attempted to conduct such a financial transaction which in fact involved the proceeds of specified unlawful activity knowing that the transaction was designed in whole and in part to conceal and disguise the nature, the location, the source, the ownership, and the control of the proceeds of the specified

unlawful activity, as follows:

<u>Count</u>	<u>Date</u>	<u>Amount</u>	<u>Description</u>
53.	May 18, 2016	\$1,476,505.00	Website Technologies (x2008) to Cereus Properties (x6211)
54.	May 18, 2016	\$264,438.00	Website Technologies (x2008) to Cereus Properties (x6211)
55.	May 31, 2016	\$3,171,675.80	Website Technologies (x2008) to Cereus Properties (x6211)
56.	May 31, 2016	\$432,961.87	Website Technologies (x2008) to Cereus Properties (x6211)
57.	June 20, 2016	\$842,878.00	Website Technologies (x2008) to Cereus Properties (x6211)
58.	June 30, 2016	\$3,076,147.75	Website Technologies (x2008) to Cereus Properties (x6211)
59.	July 27, 2016	\$3,252,681.62	Website Technologies (x2008) to Cereus Properties (x6211)
60.	July 27, 2016	\$438,818.86	Website Technologies (x2008) to Cereus Properties (x6211)
61.	Aug. 16, 2016	\$804,250.00	Website Technologies (x2008) to Cereus Properties (x6211)
62.	Aug. 31, 2016	\$3,171,264.42	Website Technologies (x2008) to Cereus Properties (x6211)

In violation of 18 U.S.C. § 1956(a)(1)(B)(i).

**COUNTS 63-68**

**(International Promotional Money Laundering)**

168. The factual allegations in Paragraphs 1-167 are incorporated by reference and re-alleged as though fully set forth herein.

169. On or about the dates set forth below, each instance constituting a separate count of this Indictment, in the District of Arizona and elsewhere, defendants LACEY, LARKIN, SPEAR, BRUNST, and HYER, and others known and unknown to the grand jury, transported, transmitted, and transferred, and attempted to transport, transmit, and transfer, a monetary instrument and funds from a place in the United States to and through a place outside the United States, and to a place in the United States from and through a place outside the United States, with the intent to promote the carrying on of specified unlawful activity, as follows:

<u>Count</u>	<u>Date</u>	<u>Amount</u>	<u>Description</u>
63.	Mar. 4, 2014	\$6,450.00	U.S. Bank (x1165) to S.B. (web developer in India)
64.	Aug. 5, 2016	\$5,005,732.86	Ad Tech B.V. (Netherlands) to Cereus Properties (x6211)
65.	Sept. 22, 2016	\$2,916,955.00	Ad Tech B.V. (Netherlands) to Cereus Properties (x6211)
66.	Oct. 3, 2016	\$354,050.84	Ad Tech B.V. (Netherlands) to Cereus Properties (x6211)
67.	Nov. 2, 2016	\$2,726,170.00	Ad Tech B.V. (Netherlands) to Cereus Properties (x6211)
68.	Nov. 15, 2016	\$351,403.54	Ad Tech B.V. (Netherlands) to Cereus Properties (x6211)

In violation of 18 U.S.C. § 1956(a)(2)(A).

**COUNTS 69-93**

**(Transactional Money Laundering)**

170. The factual allegations in Paragraphs 1-169 are incorporated by reference and re-alleged as though fully set forth herein.

171. On or about the dates set forth below, each instance constituting a separate count of this Indictment, in the United States and in the District of Arizona and elsewhere, the specified defendant, and others known and unknown to the grand jury, knowingly engaged and attempted to engage in a monetary transaction in criminally derived property of a value greater than \$10,000 and is derived from specified unlawful activity, as follows:

<u>Count</u>	<u>Defendant</u>	<u>Date</u>	<u>Amount</u>	<u>Description</u>
69.	LACEY, BRUNST	Aug. 21, 2013	\$30,000.00	Bank of America (x1793) to Stewart Title (partial payment for Sedona property)
70.	LACEY, BRUNST	Sept. 13, 2013	\$62,491.47	BMO Harris to Stewart Title (partial payment for Sedona property)
71.	SPEAR	June 11, 2014	\$300,000.00	National Bank of Arizona (x0178) to Spear Family Trust
72.	SPEAR	June 20, 2014	\$200,000.00	National Bank of Arizona (x0178) to TD Ameritrade
73.	SPEAR	Nov. 4, 2014	\$1,000,000.00	National Bank of Arizona (x0178) to UBS Financial
74.	SPEAR	May 14, 2015	\$250,000.00	National Bank of Arizona (x0178) to Lincoln National Life
75.	SPEAR	May 26, 2015	\$50,000.00	National Bank of Arizona (x0178) to Industrial Property



Case 2:18-cr-00422-SPL Document 3 Filed 03/28/18 Page 52 of 61

				Trust
76.	SPEAR	Nov. 3, 2015	\$300,000.00	National Bank of Arizona (x0178) to Ally Bank
77.	SPEAR	Dec. 1, 2015	\$200,000.00	National Bank of Arizona (x0178) to Wells Fargo
78.	SPEAR, BRUNST	Jan. 11, 2016	\$133,045.00	Cereus Properties (x6211) to National Bank of Arizona (x0178)
79.	BRUNST	Jan. 26, 2016	\$101,974.00	Cereus Properties (x6211) to Wells Fargo (x4891)
80.	LARKIN, BRUNST	Feb. 3, 2016	\$1,507,944.00	Cereus Properties (x6211) to Charles Schwab
81.	LACEY, BRUNST	Mar. 1, 2016	\$1,692,020.00	Cereus Properties (x6211) to Bank of America (x5554)
82.	BRUNST	Apr. 1, 2016	\$220,944.00	Cereus Properties (x6211) to Wells Fargo (x4891)
83.	LACEY, BRUNST	June 27, 2016	\$397,9500.00	Arizona Bank & Trust (x1793) to Fidelity Title (partial payment for San Francisco property)
84.	LACEY, BRUNST	July 20, 2016	\$12,859,152.57	Arizona Bank & Trust (x1793) to Fidelity Title (partial payment for San Francisco property)
85.	SPEAR	July 22, 2016	\$50,000.00	National Bank of Arizona (x0178) to Strategic Storage Trust II
86.	LACEY, BRUNST	Aug. 2, 2016	\$16,243.00	Cereus Properties (x6211) to Wells Fargo (x0495)

Case 2:18-cr-00422-SPL Document 3 Filed 03/28/18 Page 53 of 61

87.	LARKIN, BRUNST	Oct. 6, 2016	\$1,206,356.00	Cereus Properties (x6211) to Charles Schwab (x4693)
88.	LACEY, BRUNST	Oct. 6, 2016	\$268,016.00	Cereus Properties (x6211) to Arizona Bank & Trust (x1967)
89.	LACEY, BRUNST	Oct. 6, 2016	\$268,016.00	Cereus Properties (x6211) to Arizona Bank & Trust (x1972)
90.	LACEY, BRUNST	Oct. 6, 2016	\$268,016.00	Cereus Properties (x6211) to Arizona Bank & Trust (x1986)
91.	LACEY, BRUNST	Oct. 6, 2016	\$268,016.00	Cereus Properties (x6211) to Arizona Bank & Trust (x1991)
92.	LACEY, BRUNST	Oct. 6, 2016	\$268,016.00	Cereus Properties (x6211) to Arizona Bank & Trust (x2014)
93.	SPEAR, BRUNST	Oct. 6, 2016	\$141,444.00	Cereus Properties (x6211) to National Bank of Arizona (x0178)

In violation of 18 U.S.C. § 1957.

**FORFEITURE ALLEGATION ONE**

[18 U.S.C. 981(a)(1)(C) and 28 U.S.C. § 2461(c)]

1. Pursuant to Rule 32.2 of the Federal Rules of Criminal Procedure, notice is hereby given that the United States will seek forfeiture as part of any sentence, pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c), in the event of any defendant's conviction under Counts 1 through 51 of this Indictment. Each defendant so convicted shall forfeit to the United States the following:

a. All right, title, and interest in any and all property, real or personal, constituting, or derived from, any proceeds obtained, directly or indirectly, as a result of the offense. Such property includes, but is not limited to, the real property located at the following addresses:

- i. 1100 UNION ST #0700 SAN FRANCISCO CA 94109-2019
- ii. 2043 PLEASANT HILL RD SEBASTOPOL CA 95472-4947
- iii. 343 PRESIDIO AVE, SAN FRANCISCO, CA 94115
- iv. 2755 FILLMORE ST, SAN FRANCISCO, CA 94123
- v. 5300 STELLA LANE, PARADISE VALLEY, AZ 85253
- vi. 16901 COLEGROVE DR., DALLAS, TX 75248
- vii. 10647 NORTH STATE ROUTE 89A, SEDONA, AZ
- viii. 493 ZINFANDEL LN, ST HELENA, CA 94574
- ix. 5555 N. CASA BLANCA DR, PARADISE VALLEY, AZ 85253
- x. 1308 E. 56TH ST UNIT 2, CHICAGO, IL 60637

Such property also includes, but is not limited to, funds held in the following bank accounts:

- i. Prosperity Bank account number XXXXXX7188
- ii. Compass Bank Account number XXXXXX3873
- iii. Compass Bank Account number XXXXXX3825

Case 2:18-cr-00422-SPL Document 3 Filed 03/28/18 Page 55 of 61

- iv. National Bank of Arizona Account number XXXX0178
- v. National Bank of Arizona Account number XXXX0151
- vi. National Bank of Arizona Account number XXXX3645
- vii. Live Oak Bank Account Number XXXXXXXXXXXX2523
- viii. Ascensus Broker Dealer Services Account Number XXXXX6943-01
- ix. Ascensus Broker Dealer Services account Number XXXXX5280-01
- x. First Federal Savings & Loan of San Rafael account number XXXX3620
- xi. Republic Bank of Arizona account number XXXX1889
- xii. Republic Bank of Arizona account number XXXX2592
- xiii. Republic Bank of Arizona account number XXXX2912
- xiv. Republic Bank of Arizona account number XXXX2500
- xv. Republic Bank of Arizona account number XXXX1938
- xvi. Bank of America Account number XXXXXXXXXXXXXXX8225
- xvii. Bank of America Account number XXXXXXXXXXXXXXX7054
- xviii. Bank of America Account number XXXXXXXXXXXXXXX9342
- xix. Bank of America Account number XXXXXXXXXXXXXXX0071
- xx. San Francisco Fire Credit Union Account Number XXXXXXXXXXXX2523
- xxi. Ally Bank Account Number XXXXXX6292
- xxii. Branch Banking and Trust Bank account number XXXXXXXXXXXX0218
- xxiii. Green Bank Account number XXX4832
- xxiv. Green Bank Account number XXXXXX4293
- xxv. Plains Capital Bank account number XXXXXX1098

Such property further includes, but is not limited to, the following domain names:

- i. atlantabackpage.com
- ii. backpage.be
- iii. backpage.com
- iv. backpage.com.br

Case 2:18-cr-00422-SPL Document 3 Filed 03/28/18 Page 56 of 61

- 1 v. backpage.cz
- 2 vi. backpage.dk
- 3 vii. backpage.ee
- 4 viii. backpage.es
- 5 ix. backpage.fi
- 6 x. backpage.fr
- 7 xi. backpage.gr
- 8 xii. backpage.hu
- 9 xiii. backpage.ie
- 10 xiv. backpage.it
- 11 xv. backpage.lt
- 12 xvi. backpage.mx
- 13 xvii. backpage.net
- 14 xviii. backpage.no
- 15 xix. backpage.pl
- 16 xx. backpage.pt
- 17 xxi. backpage.ro
- 18 xxii. backpage.si
- 19 xxiii. backpage.sk
- 20 xxiv. backpage.us
- 21 xxv. backpage-insider.com
- 22 xxvi. bestofbackpage.com
- 23 xxvii. bestofbigcity.com
- 24 xxviii. bigcity.com
- 25 xxix. chicagobackpage.com
- 26 xxx. denverbackpage.com
- 27 xxxi. newyorkbackpage.com
- 28

Case 2:18-cr-00422-SPL Document 3 Filed 03/28/18 Page 57 of 61

- 1 xxxii. phoenixbackpage.com
- 2 xxxiii. sandiegobackpage.com
- 3 xxxiv. seattlebackpage.com
- 4 xxxv. tampabackpage.com

5 b. To the extent such property is not available for forfeiture, a sum of  
6 money equal to the total value of the property described in subparagraph (a).

7 2. Pursuant to Title 21, United States Code, Section 853(p), as incorporated by  
8 Title 28, United States Code, Section 2461(c), the defendant shall forfeit substitute  
9 property, up to the total value of the property described in the preceding paragraph if, as  
10 the result of any act or omission of the defendant, the property described in the preceding  
11 paragraph, or any portion thereof: (a) cannot be located upon the exercise of due diligence;  
12 (b) has been transferred, sold to or deposited with a third party; (c) has been placed beyond  
13 the jurisdiction of the court; (d) has been substantially diminished in value; or (e) has been  
14 commingled with other property that cannot be divided without difficulty.

15 **FORFEITURE ALLEGATION TWO**

16 [18 U.S.C. § 982(a)(1)]

17 1. Pursuant to Rule 32.2 of the Federal Rules of Criminal Procedure, notice is  
18 hereby given that the United States will seek forfeiture as part of any sentence, pursuant  
19 Title 18, United States Code, Section 982(a)(1), in the event of any defendant's conviction  
20 under Counts 52 through 93 of this Indictment. Each defendant so convicted shall forfeit  
21 to the United States the following:

22 a. All right, title, and interest in any and all property, real or personal,  
23 involved in or traceable to any transaction set forth in Counts 52 through 93 of this  
24 Indictment. Such property includes, but is not limited to, the real property located at the  
25 following addresses:

- 26 i. 1100 UNION ST #0700 SAN FRANCISCO CA 94109-2019
- 27 ii. 2043 PLEASANT HILL RD SEBASTOPOL CA 95472-4947

28

Case 2:18-cr-00422-SPL Document 3 Filed 03/28/18 Page 58 of 61

- 1      iii.    343 PRESIDIO AVE, SAN FRANCISCO, CA 94115
- 2      iv.    2755 FILLMORE ST, SAN FRANCISCO, CA 94123
- 3      v.    5300 STELLA LANE, PARADISE VALLEY, AZ 85253
- 4      vi.    16901 COLEGROVE DR., DALLAS, TX 75248
- 5      vii.    10647 NORTH STATE ROUTE 89A, SEDONA, AZ
- 6      viii.    493 ZINFANDEL LN, ST HELENA, CA 94574
- 7      ix.    5555 N. CASA BLANCA DR, PARADISE VALLEY, AZ 85253
- 8      x.    1308 E. 56TH ST UNIT 2, CHICAGO, IL 60637

9      Such property also includes, but is not limited to, funds held in the following bank  
10      accounts:

- 11      i.    Prosperity Bank account number XXXXX7188
- 12      ii.    Compass Bank Account number XXXXXX3873
- 13      iii.    Compass Bank Account number XXXXXX3825
- 14      iv.    National Bank of Arizona Account number XXXX0178
- 15      v.    National Bank of Arizona Account number XXXX0151
- 16      vi.    National Bank of Arizona Account number XXXX3645
- 17      vii.    Live Oak Bank Account Number XXXXXXXXXXXX2523
- 18      viii.    Ascensus Broker Dealer Services Account Number XXXXX6943-01
- 19      ix.    Ascensus Broker Dealer Services account Number XXXXX5280-01
- 20      x.    First Federal Savings & Loan of San Rafael account number XXXX3620
- 21      xi.    Republic Bank of Arizona account number XXXX1889
- 22      xii.    Republic Bank of Arizona account number XXXX2592
- 23      xiii.    Republic Bank of Arizona account number XXXX2912
- 24      xiv.    Republic Bank of Arizona account number XXXX2500
- 25      xv.    Republic Bank of Arizona account number XXXX1938
- 26      xvi.    Bank of America Account number XXXXXXXXXXXXXX8225

Case 2:18-cr-00422-SPL Document 3 Filed 03/28/18 Page 59 of 61

- 1 xvii. Bank of America Account number XXXXXXXXXXXXXXX7054
- 2 xviii. Bank of America Account number XXXXXXXXXXXXXXX9342
- 3 xix. Bank of America Account number XXXXXXXXXXXXXXX0071
- 4 xx. San Francisco Fire Credit Union Account Number XXXXXXXXXXXXXXX2523
- 5 xxi. Ally Bank Account Number XXXXXXX6292
- 6 xxii. Branch Banking and Trust Bank account number XXXXXXXXXXXXXXX0218
- 7 xxiii. Green Bank Account number XXX4832
- 8 xxiv. Green Bank Account number XXXXXXX4293
- 9 xxv. Plains Capital Bank account number XXXXXXX1098

10 Such property further includes, but is not limited to, the following domain names:

- 11 i. atlantabackpage.com
- 12 ii. backpage.be
- 13 iii. backpage.com
- 14 iv. backpage.com.br
- 15 v. backpage.cz
- 16 vi. backpage.dk
- 17 vii. backpage.ee
- 18 viii. backpage.es
- 19 ix. backpage.fi
- 20 x. backpage.fr
- 21 xi. backpage.gr
- 22 xii. backpage.hu
- 23 xiii. backpage.ie
- 24 xiv. backpage.it
- 25 xv. backpage.lt
- 26 xvi. backpage.mx
- 27
- 28



- 1 xvii. backpage.net
- 2 xviii. backpage.no
- 3 xix. backpage.pl
- 4 xx. backpage.pt
- 5 xxi. backpage.ro
- 6 xxii. backpage.si
- 7 xxiii. backpage.sk
- 8 xxiv. backpage.us
- 9 xxv. backpage-insider.com
- 10 xxvi. bestofbackpage.com
- 11 xxvii. bestofbigcity.com
- 12 xxviii. bigcity.com
- 13 xxix. chicagobackpage.com
- 14 xxx. denverbackpage.com
- 15 xxxi. newyorkbackpage.com
- 16 xxxii. phoenixbackpage.com
- 17 xxxiii. sandiegobackpage.com
- 18 xxxiv. seattlebackpage.com
- 19 xxxv. tampabackpage.com
- 20

21 b. To the extent such property is not available for forfeiture, a sum of  
22 money equal to the total value of such property.

23 2. Pursuant to Title 21, United States Code, Section 853(p), as incorporated by  
24 Title 18, United States Code, Section 982(b), each defendant convicted under Counts 52  
25 through 93 of this Indictment shall forfeit substitute property, if, by any act or omission of  
26 that defendant, the property described in the preceding paragraph, or any portion thereof,  
27 cannot be located upon the exercise of due diligence; has been transferred, sold to, or  
28

Case 2:18-cr-00422-SPL Document 3 Filed 03/28/18 Page 61 of 61

1 deposited with a third party; has been placed beyond the jurisdiction of the court; has been  
2 substantially diminished in value; or has been commingled with other property that cannot  
3 be divided without difficulty.

4 A TRUE BILL

5  
6 S/  
FOREPERSON OF THE GRAND JURY  
Date: March 28, 2018  
7

8 ELIZABETH A. STRANGE  
9 First Assistant United States Attorney  
District of Arizona

10 JOHN P. CRONAN  
11 Acting Assistant Attorney General  
Criminal Division, U.S. Department of Justice  
12

13 S/  
KEVIN M. RAPP  
14 DOMINIC LANZA  
MARGARET PERLMETER  
15 JOHN J. KUCERA  
Assistant U.S. Attorneys

16 REGINALD E. JONES  
17 Senior Trial Attorney  
U.S. Department of Justice, Criminal Division  
18 Child Exploitation and Obscenity Section  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**EXHIBIT B**

Case 2:18-cr-00422-SPL Document 141 Filed 05/11/18 Page 1 of 20

1 Paul J. Cambria, Jr. (NY 15873, admitted *pro hac vice*)  
2 LIPSITZ GREEN SCIME CAMBRIA LLP  
3 42 Delaware Avenue, Suite 120  
4 Buffalo, New York 14202  
5 Telephone: (716) 849-1333  
6 Facsimile: (716) 855-1580  
7 pcambria@lglaw.com

8 Erin E. McCampbell (NY 4480166, admitted *pro hac vice*)  
9 LIPSITZ GREEN SCIME CAMBRIA LLP  
10 42 Delaware Avenue, Suite 120  
11 Buffalo, New York 14202  
12 Telephone: (716) 849-1333  
13 Facsimile: (716) 855-1580  
14 emccampbell@lglaw.com

15 James C. Grant (WA 14358, admitted *pro hac vice*)  
16 DAVIS WRIGHT TREMAINE LLP  
17 1201 Third Avenue, Suite 2200  
18 Seattle, Washington 98101  
19 Telephone: (206)662-3150  
20 Facsimile: (206)757-7700  
21 Email: jamesgrant@dwt.com

22 Robert Corn-Revere (DC 375415, admitted *pro hac vice*)  
23 DAVIS WRIGHT TREMAINE LLP  
24 1919 Pennsylvania Ave., NW, Suite 800  
25 Washington, D.C. 20006  
26 Telephone: (202)973-4200  
27 Facsimile: (202)973-4499  
28 Email: bobcornrevere@dwt.com

*Attorneys for Defendant Michael Lacey*

22 Thomas Henry Bienert, Jr. (CA 135311, admitted *pro hac vice*)  
23 BIENERT MILLER & KATZMAN PLC  
24 903 Calle Amanecer, Ste. 350  
25 San Clemente, CA 92673  
26 Telephone: (949)369-3700  
27 Facsimile: (949)369-3701  
28 Email: tbienert@bmkattorneys.com

*Attorneys for Defendant James Larkin*

Case 2:18-cr-00422-SPL Document 141 Filed 05/11/18 Page 2 of 20

1 Bruce S. Feder (AZ 004832)  
2 FEDER LAW OFFICE PA  
2930 E Camelback Rd., Ste. 160  
Phoenix, AZ 85016  
3 Telephone: (602)257-0135  
Facsimile: (602)954-8737  
4 Email: bf@federlawpa.com

5 *Attorneys for Defendant Scott Spear*

6 Michael D. Kimerer (AZ 002492)  
KIMERER & DERRICK PC  
7 1313 E Osborn Rd., Ste. 100  
Phoenix, AZ 85014  
8 Telephone: (602)279-5900  
Facsimile: (602)264-5566  
9 Email: MDK@kimerer.com

10 *Attorneys for Defendant John Brunst*

11 K.C. Maxwell (CA 214701, admitted *pro hac vice*)  
BROWNE GEORGE ROSS LLP  
12 101 California St., Ste. 1225  
San Francisco, CA 94111  
13 Telephone: (415)391-7100  
Facsimile: (415)391-7198  
14 Email: kmaxwell@bgrfirm.com

15 *Attorneys for Defendant Dan Hyer*

16 Michael L. Piccarreta (AZ 003962)  
PICCARRETA DAVIS KEENAN FIDEL PC  
17 2 E Congress St., Ste. 1000  
Tucson, AZ 85701  
18 Telephone: (520)622-6900  
Facsimile: (520)622-0521  
19 Email: mlp@pd-law.com

20 *Attorneys for Defendant Andrew Padilla*

21 Stephen M. Weiss (AZ 002261)  
KARP & WEISS PC  
22 3060 N Swan Rd.  
Tucson, AZ 85712  
23 520-325-4200  
Facsimile: 520-325-4224  
24 Email: sweiss@karpweiss.com

25 *Attorneys for Defendant Joye Vaught*

26

27

28

Case 2:18-cr-00422-SPL Document 141 Filed 05/11/18 Page 3 of 20

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ARIZONA

United States of America,

Plaintiff,

vs.

Michael Lacey, *et al.*,

Defendants.

NO. CR-18-00422-PHX-SPL (BSB)

DEFENDANTS' MOTION FOR  
DISCLOSURE OF DOCUMENTS  
RELATED TO PRETRIAL SEIZURE  
OF DEFENDANTS' ASSETS

(First Request)  
(Oral Argument Requested)

It is expected that excludable delay under 18 U.S.C. § 3161(h)(1)(D) will occur as a result of this motion or an order based thereon, as explained more fully below.

Defendants Michael Lacey, James Larkin, Scott Spear, John Brunst, Dan Hyer, Andrew Padilla, and Joye Vaught, by and through Paul J. Cambria, Jr., hereby move this Court for an order requiring the government to disclose any and all filings related to the government's pretrial seizure of Defendants' assets (whether assets owned directly or owned indirectly through entities they own and control) including, but not limited to, the seizure applications, seizure warrants, and forfeiture orders, as well as an accelerated hearing of the instant motion. This motion is based on the legal reasoning and authority set forth in the attached Memorandum of Points and Authorities.

Case 2:18-cr-00422-SPL Document 141 Filed 05/11/18 Page 4 of 20

1 RESPECTFULLY SUBMITTED this 11<sup>th</sup> day of May, 2018.

2 /s/ Paul J. Cambria, Jr.  
3 LIPSITZ GREEN SCIME CAMBRIA LLP  
4 Attorneys for Defendant Michael Lacey

5 /s/ Thomas Henry Bienert, Jr.  
6 BIENERT MILLER & KATZMAN PLC  
7 Attorneys for Defendant James Larkin

8 /s/ Bruce S. Feder  
9 FEDER LAW OFFICE PA  
10 Attorneys for Defendant Scott Spear

11 /s/ Michael D. Kimerer  
12 KIMERER & DERRICK PC  
13 Attorneys for Defendant John Brunst

14 /s/ K.C. Maxwell  
15 BROWNE GEORGE ROSS LLP  
16 Attorneys for Defendant Dan Hyer

17 /s/ Michael L. Piccarreta  
18 PICCARRETA DAVIS KEENAN FIDEL PC  
19 Attorneys for Defendant Andrew Padilla

20 /s/ Stephen M. Weiss  
21 KARP & WEISS PC  
22 Attorneys for Defendant Joye Vaught

MEMORANDUM OF POINTS AND AUTHORITIES

**INTRODUCTION**

Defendants Michael Lacey, James Larkin, Scott Spear, John Brunst, Dan Hyer, Andrew Padilla, and Joye Vaught (collectively, “Defendants”) respectfully move this Court to issue an order requiring the government to promptly disclose to Defendants the documents the government relied upon in seeking pretrial restraint of Defendants’ assets (whether assets owned directly or owned indirectly through entities they own and control) including, but not limited to, seizure warrants, warrant applications, and forfeiture orders. The government has refused to promptly provide these documents to Defendants, which are critical to the Defendants’ ability to move for the release of their assets under the First, Fourth, Fifth, and Sixth Amendments in addition to other grounds. Because the government’s pretrial seizure of Defendants’ assets is hampering Defendants’ ability to defend themselves against the instant prosecution with counsel of choice, and in some cases, to meet their daily financial obligations, Defendants respectfully request that this Court hear the instant motion on an accelerated basis and grant the relief requested.

**BACKGROUND**

**I. The government arrests Defendants and seeks pretrial detention.**

On April 6, 2018, the government arrested Defendants Lacey, Larkin, Brunst, Spear, and Vaught on the basis of the then-sealed indictment. (*See* Arrest Warrants, Docs. 48, 49, 50, 52.) The gist of the indictment, now unsealed, is that Defendants’ former involvement with the web-publishing entity Backpage.com, LLC (“Backpage”) was tantamount to the facilitation of prostitution and money laundering. (*See generally* Indict., Doc. 3.) The



1 government's theory is that Defendants should be held criminally liable for the content of  
2 advertisements posted to Backpage by third-party users by virtue of Defendants' prior  
3 involvement with the creation and/or operation of Backpage. (*See id.* at ¶¶ 1-16.) The  
4 government has charged Defendants with conspiracy to facilitate prostitution (18 U.S.C. §§  
5 371, 1952(a)(3)(A)), facilitation of prostitution (18 U.S.C. §§ 1952(a)(3)(A), (b)(1)(i)),  
6 conspiracy to commit money laundering (18 U.S.C. § 1956(h)), concealment money  
7 laundering (18 U.S.C. § 1956(a)(1)(B)(i)), international promotional money laundering (18  
8 U.S.C. § 1956(a)(2)(A)), and transactional money laundering (18 U.S.C. § 1957). (*See id.* at  
9 ¶¶ 157-71.)

12 The initial appearance and arraignment for Defendant Lacey was held on April 6,  
13 2018, at which he pleaded not guilty and was detained upon request of the government. (*See*  
14 *Min. Entry, Docs. 17.*) The initial appearance and arraignment for Defendant Larkin was  
15 held on April 9, 2018, at which he pleaded not guilty and was detained upon request of the  
16 government. (*See Min. Entry, Docs. 25.*) The government moved for pretrial detention of  
17 Defendants Lacey and Larkin, claiming that they presented risk of flight and danger to the  
18 community. (*See generally, Gov't's Mots., Docs. 13, 22.*) Defendants Lacey and Larkin,  
19 lifelong residents of Phoenix, who have received recognition for their journalism and  
20 contributions to the community, objected to the government's claims for the need for pretrial  
21 detention. (*See generally Defs.' Opp'n, Docs. 23, 26.*) Subsequently, the parties reached an  
22 agreement on Defendants' release, which the Court accepted. (*See Min. Entries, Docs. 62-*  
23 *63.*)